

Application No. 10/664,365
Attorney Docket No. 13342US03

REMARKS

The present application includes claims 1-23. Claims 1-23 were subject to a restriction requirement. By this Amendment, claims 14-23 have been canceled.

In the Office Action, the Examiner identified the following two groups of claims as being directed to two different inventions:

Group I: Claims 1-13, drawn to a stackable bar stool

Group II: Claims 14-23, drawn to stool height adjustment

The Examiner requires the Applicant to elect the claims of one of the groups for prosecution in the present application. Consequently, the Applicant elects the claims of Group I for prosecution in the present application and has canceled the claims related to Group II.

Additionally, the Examiner states that claim 1 is currently generic, but requires a provisional election of a species if no generic claim is found to be allowable. In this regard, the Applicant identifies claim 8 as also being generic and provisionally elects the species of Figures 1-2 if no generic claim is found to be allowable. Claims 1-4 and 8-10 are currently readable on the species of Figures 1-2, though some of those claims may be readable on other species as well.

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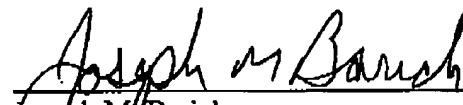
CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: December 1, 2005


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